

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

May 28, 2004

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| IN RE: |) | |
| |) | |
| PETITION OF CHATTANOOGA GAS COMPANY |) | DOCKET NO. |
| FOR APPROVAL OF ADJUSTMENT OF ITS RATES |) | 04-00034 |
| AND CHARGES AND REVISED TARIFF |) | |

ORDER RE-SUSPENDING TARIFF FOR SIXTY (60) DAYS

This matter initially came before Chairman Deborah Taylor Tate, Director Pat Miller and Director Sara Kyle of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on February 9, 2004. During that Conference the panel voted unanimously to suspend the *Petition of Chattanooga Gas Company for Approval of Adjustment of its Rates and Charges and Revised Tariff* (the "*Petition*") for ninety (90) days, from March 1, 2004, through May 29, 2004, and to appoint a Hearing Officer in this proceeding to hear preliminary matters prior to the Hearing, to rule on any petition(s) for intervention, and to set a procedural schedule to completion.

The Hearing Officer has presided over two Status Conferences in this docket. A partial procedural schedule has been established and completed. As a result, the parties in this docket have been actively engaged in discovery. Several preliminary motions remain pending before the Hearing Officer, including motions to compel discovery and to allow additional discovery. The Consumer Advocate and Protection Division of the Office of the Attorney


General ("Consumer Advocate") has filed a motion requesting that the time period for determining this matter be extended to nine months from the date of the filing of the *Petition* which was January 26, 2004.

On May 21, 2004, Chattanooga Gas Company ("Chattanooga") responded to the Consumer Advocate's motion for extension. In its response, Chattanooga included a proposed procedural schedule which projects a decision date in this docket to July 26, 2004. Without determining the merits of Chattanooga's proposed procedural schedule, the Hearing Officer finds that the effective date of the tariff filed in this docket with the *Petition* should be suspended at least an additional sixty (60) days or through July 28, 2004.

Based on the foregoing,

IT IS THEREFORE ORDERED THAT:

The *Petition of Chattanooga Gas Company for Approval of Adjustment of its Rates and Charges and Revised Tariff* is hereby re-suspended for an additional sixty (60) days through July 28, 2004.


J. Richard Collier
Hearing Officer